

U.S. Application No.  
PendingInternational Application No.  
PCT/BE99/00105

Date: February 14, 2001

Page 1

**TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 USC 371**

International Application No.: PCT/BE99/00105  
International Filing Date: August 14, 1999  
Priority Date Claimed: August 14, 1998  
Title of Invention: NUCLEOTIDE AND/OR AMINO-ACID SEQUENCE CONTROLLING THE EXPRESSION OF A XYLANASE PROMOTER-OPERATOR NUCLEOTIDE SEQUENCE  
Applicant(s) for DO/EO/US: Fabrizio Giannotta, Sebastien Rigali, Jean Dusart

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. (X) This is a **FIRST** submission of items concerning a filing under 35 USC 371.
2. (X) This express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 371(b) and PCT Articles 22 and 39(1).
3. (X) A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
4. (X) A copy of the International Application as filed (35 USC 371(c)(2))
  - a) ( ) is transmitted herewith (required only if not transmitted by the International Bureau).
  - b) (X) has been transmitted by the International Bureau.
  - c) ( ) is not required, as the application was filed in the United States Receiving Office (RO/US).
5. (X) Amendments to the claims of the International Application under PCT Article 19 (35 USC 371(c)(3))
  - a) ( ) are transmitted herewith (required only if not transmitted by the International Bureau).
  - b) ( ) have been transmitted by the International Bureau.
  - c) ( ) have not been made; however, the time limit for making such amendments has NOT expired.
  - d) (X) have not been made and will not be made.
6. (X) An oath or declaration of the inventor(s) (35 USC 371(c)(4)).
7. (X) A copy of the International Preliminary Examination Report with any annexes thereto, such as any amendments made under PCT Article 34.
8. (X) An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
9. (X) A **FIRST** preliminary amendment.

U.S. Application No.  
PendingInternational Application No.  
PCT/BE99/00105Attorney Docket No.  
VANM201.001APC

Date: February 14, 2001

Page 2

10. (X) International Application as published:  
a. (X) Publication Cover Sheet  
b. (X) 15 pages of disclosure  
c. (X) Sequence Listing in 5 pages  
d. (X) 3 pages of drawings  
e. (X) International Search Report

11. (X) Small Entity status is established.

12. (X) PCT Form PCT/IPEA/402.

13. (X) PCT Form PCT/IB/308.

14. (X) PCT request form.

15. (X) A return prepaid postcard.

16. (X) The following fees are submitted:

**FEES**

<b>BASIC FEE</b>			\$860	
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>	
Total Claims	26 - 20 =	6 x	\$18	\$108
Independent Claims	1 - 3 =	0 x	\$80	\$0

**TOTAL OF ABOVE CALCULATIONS \$968**

Reduction by 1/2 for filing by small entity (if applicable). Verified Small Entity statement must also be filed. (NOTE 37 CFR 1.9, 1.27, 1.28) \$484

<b>TOTAL NATIONAL FEE</b>			\$484
<b>TOTAL FEES ENCLOSED</b>			\$484

17. (X) A check in the amount of \$484 to cover the above fees is enclosed.

18. (X) Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property.

19. (X) The Commissioner is hereby authorized to charge only those additional fees which may be required, now or in the future, to avoid abandonment of the application, or credit any overpayment to Deposit Account No. 11-1410. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

U.S. Application No.  
Pending

International Application No.  
PCT/BE99/00105

Attorney Docket No.  
**VANM201.001APC**

Date: February 14, 2001

Page 3

SEND ALL CORRESPONDENCE TO:

KNOBBE, MARTENS, OLSON & BEAR, LLP  
620 Newport Center Drive  
Sixteenth Floor  
Newport Beach, CA 92660

  
Signature

Daniel E. Altman  
Printed Name

34,115  
Registration Number

H:\DOCS\JAH\JAH-4114.DOC  
021401

02-15-01

09/07/2001  
JC02 Rec'd PCT/PTO 14 FEB 2001

# Knobbe Martens Olson & Bear LLP

Intellectual Property Law



620 Newport Center Drive  
Sixteenth Floor  
Newport Beach, CA 92660  
Tel 949-760-0404  
Fax 949-760-9502  
www.kmob.com

Jennifer A. Haynes, Ph.D.  
Patent Scientist

Assistant Commissioner for Patents  
Washington, D.C. 20231

## CERTIFICATE OF MAILING BY "EXPRESS MAIL"

**Attorney Docket No. :** VANM201.001APC

**Applicant(s) :** Fabrizio et al.

**For :** NUCLEOTIDE AND/OR AMINO-ACID  
SEQUENCE CONTROLLING THE EXPRESSION  
OF A XYLANASE PROMOTER-OPERATOR  
NUCLEOTIDE SEQUENCE

**Attorney :** Daniel E. Altman

**"Express Mail"**

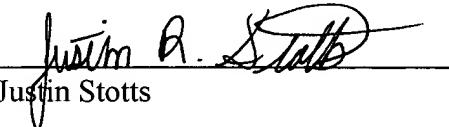
**Mailing Label No. :** EL672820315US

**Date of Deposit :** February 14, 2001

I hereby certify that the accompanying

Transmittal in Duplicate; Demand; Declaration; IPER; Assignment, Recordation  
Form Cover Sheet; Preliminary Amendment; Int'l. Appl. as Published; Form 402;  
Form 308; Request; Check(s) for Filing Fee(s); Return Prepaid Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to  
Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to the  
Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Justin Stotts

H:\DOCS\JAH\JAH-4116.DOC  
021401

San Diego  
619-235-8550

San Francisco  
415-954-4114

Los Angeles  
310-551-3450

Riverside  
909-781-9231